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Request for the inclusion of a supplementary item in the agenda of the sixtieth session

Question of the representation of the twenty-three million people of Taiwan in the United Nations

Letter dated 5 August 2005 from the representatives of Belize, Burkina Faso, Chad, the Gambia, Malawi, the Marshall Islands, Nauru, Palau, Saint Vincent and the Grenadines, Sao Tome and Principe and Solomon Islands to the United Nations addressed to the Secretary-General

Upon the instruction of our respective Governments, we have the honour to request, pursuant to rule 14 of the rules of procedure of the General Assembly, the inclusion in the agenda of the sixtieth session of a supplementary item entitled "Question of the representation of the twenty-three million people of Taiwan in the United Nations". Pursuant to rule 20 of the rules of procedure of the General Assembly, we attach an explanatory memorandum (annex I) and a draft resolution (annex II).

Please accept, Excellency, the assurances of our highest consideration.

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Annex I

Explanatory memorandum

The Republic of China (Taiwan) is a free and peace-loving sovereign State, and its democratically elected Government is the sole legitimate government that can represent the interests and wishes of the people of Taiwan in the United Nations. However, the rights and interests of the 23 million people of Taiwan, which is excluded from the United Nations, are not upheld and protected in the United Nations. Today, for the following reasons, there is an urgent need to further examine this particular situation and to redress this mistaken omission.

1. Universality is a core principle of the United Nations

The Preamble to the Charter of the United Nations states that the mission of the United Nations is "to reaffirm faith in the fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations, large and small".

This commitment to the principle of universality, for all peoples and all nations, is at the centre of the international system established by the founding fathers of the United Nations in 1945. Furthermore, Article 4 of the Charter invites "all other peace-loving States" to join the Organization.

Since the end of the cold war, the work of the United Nations has become increasingly important, and the realization of the principle of universality has taken on a new urgency. With the admission of East Timor and Switzerland, almost all the countries of the world have become members of this ever more truly global Organization — all except one, Taiwan. After all these achievements in realizing the principle of universality, the complete exclusion of Taiwan from the United Nations poses a moral and legal challenge to the international community. The United Nations must cease senselessly enforcing a policy of political apartheid against the 23 million people of Taiwan.

Indeed, it is the common wish of the 23 million people of Taiwan to participate in the United Nations. Based on this strong public enthusiasm, securing such participation has become a paramount task of the democratically elected Government of Taiwan. In this age of globalization, all members of the international community should welcome the aspiration of the 23 million people of Taiwan and help them achieve this goal.

2. General Assembly resolution 2758 (XXVI) has not resolved the issue of the representation of the people of Taiwan

From 1949 to 1971, the question of the representation of China in the United Nations was continuously disputed. The General Assembly of the United Nations finally adopted resolution 2758 (XXVI) on 25 October 1971, by which it admitted the People's Republic of China to the United Nations. This resolution, however, did not address the issue of the representation of the 23 million people of Taiwan in the United Nations. Unfortunately, resolution 2758 (XXVI) has subsequently been misused to justify Taiwan's exclusion from the United Nations system. Resolution 2758 (XXVI) reads as follows:

The General Assembly,

Recalling the principles of the Charter of the United Nations,

Considering that the restoration of the lawful rights of the People's Republic of China is essential both for the protection of the Charter of the United Nations and for the cause that the United Nations must serve under the Charter,

Recognizing that the representatives of the Government of the People's Republic of China are the only lawful representatives of China to the United Nations and that the People's Republic of China is one of the five permanent members of the Security Council,

Decides to restore all its rights to the People's Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations, and to expel forthwith the representatives of Chiang Kai-shek from the place which they unlawfully occupy at the United Nations and in all the organizations related to it.

It should be noted especially that resolution 2758 (XXVI) addressed only the issue of the representation of the People's Republic of China in the United Nations and all related organizations. It did not determine that Taiwan is a part of the People's Republic of China, nor did it confer on the People's Republic of China the right to represent the Republic of China (Taiwan) or the people of Taiwan in the United Nations and its related organizations.

Despite the clear spirit and letter of the resolution, during the 34 years since the adoption of resolution 2758 (XXVI), Taiwan has been excluded from the United Nations and Taiwan's 23 million people have been deprived of their fundamental right to participate in the work and activities of the United Nations — this act violates the Charter of the United Nations, the Universal Declaration of Human Rights and many other international human rights norms.

3. The Republic of China (Taiwan) is a sovereign State and a constructive member of the international community

With a population of 23 million, making it the forty-second largest population in the world, and a territory consisting of the islands of Taiwan, Penghu, Kinmen and Matsu, the Republic of China (Taiwan) enjoys an efficient government and solid institutions that have proven their capacity to conduct friendly and constructive international relations with many States throughout the world. For example, Taiwan maintains full diplomatic relations with the Holy See and 25 States Members of the United Nations. Moreover, through its full membership, Taiwan plays an active role in several international organizations, including the World Trade Organization, the Asian Development Bank and Asia-Pacific Economic Cooperation.

Taiwan has never been a local government or province of the People's Republic of China. On the contrary, ever since the establishment of the People's Republic of China on 1 October 1949, the two sides of the Taiwan Strait have been governed separately, with neither side having any control or jurisdiction over the other.

4. Taiwan is a vibrant democratic society and an active international partner

In his report entitled "In larger freedom: towards development, security and human rights for all", United Nations Secretary-General Kofi Annan pointed out correctly, "The right to choose how they are ruled, and who rules them, must be the birthright of all people, and its universal achievement must be a central objective of an Organization devoted to the cause of larger freedom". Accordingly, Taiwan's achievements in deepening democracy are worthy of the active support of the United Nations.

Following the end of four decades of authoritarian rule in Taiwan in 1987, the profound constitutional reforms undertaken made it possible for Taiwan to hold its very first general parliamentary elections in 1992, followed by the first direct presidential election in 1996. In 2000, the second presidential election paved the way to the first peaceful transfer of power from one political party to another. The third direct presidential election of 2004 further demonstrates Taiwan's commitment to genuine democratization.

Taiwan's successful transition to democracy and its unrelenting efforts to promote human rights are evidence of the perseverance of the people and Government in upholding and strengthening peace and stability. In this context, in his inaugural speech in 2000, President Chen Shui-bian emphasized the importance of democracy and peace for the people of Taiwan: "With our sacred votes, we have proved to the world that freedom and democracy are indisputable universal values, and that peace is the highest goal of humanity". In his inaugural speech in 2004, he reiterated Taiwan's firm belief and determination: "Taiwan stands ready to continue in its role as an active participant and contributor to international society — this is the right of Taiwan's 23 million people; likewise, it is our duty as citizens of the world community".

Furthermore, as a democracy, Taiwan is committed to the protection and promotion of universal human rights. The Government aims at integrating Taiwan into the international human rights regime, pledging to abide by the norms and standards of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Vienna Declaration and Programme of Action. In implementing these goals, Taiwan is establishing a National Human Rights Commission in full accordance with the principles set up by the United Nations.

In recent years, in view of defending and promoting the universal values of freedom, democracy and human rights, Taiwan founded the Pacific Democratic Union, established the Taiwan Foundation for Democracy and actively participates in the activities of related non-governmental organizations.

For all these reasons, we believe that Taiwan serves as an excellent model for all those countries that seek to embrace democracy, human rights and the norms and values of our international community.

5. Taiwan's exclusion from the United Nations constitutes discrimination against its people, depriving them of their fundamental right to benefit from and contribute to the work of the United Nations

As a newly developed economy, Taiwan confronts a wide variety of issues and needs in areas such as environmental protection, demographic shifts, the provision of health care and the control of infectious diseases, food and energy security, safer

and speedier international air travel and transportation, and efficient telecommunications. In a world of increasing interdependence, these issues and needs must be adequately addressed via international mechanisms and cooperation under the leadership of the United Nations and its specialized agencies.

Regardless of the fact that the People's Republic of China has no right to, and in fact cannot, represent Taiwan in the international arena, the People's Republic of China and United Nations officials often mistakenly invoke United Nations General Assembly resolution 2758 (XXVI), mentioned previously, to prevent governmental agencies, non-governmental organizations and even individuals from Taiwan from participating in the activities of the United Nations and its specialized agencies, including all activities related to the Economic and Social Council. This unjust exclusion of Taiwan's Government, civic organizations and individuals contradicts the fundamental principle of universal participation that the United Nations upholds. Moreover, it infringes upon the right of the people of Taiwan to be represented in the United Nations system and to engage in the wide range of substantive United Nations programmes for the common interests of all.

Among the examples of this discrimination are the following:

(a) The Taipei Flight Information Region covers 188,400 square kilometres, with 13 major international flight routes and four domestic routes in operation. It provides a huge number of flight information services. However, Taiwan's Civil Aeronautics Administration is still barred from attending the activities of the International Civil Aviation Organization. As a matter of fact, Taipei Flight Information Region plays an essential role. It provided about 1.49 million controlled flight services, with 20.75 million international passengers arriving in and departing from Taiwan, and processed 1.25 million tons of cargo in 2004. In addition, 38 airlines operate regular flights to and from Taiwan, and 32 of them are foreign airlines. In 2004, 175,230 flights arrived in and departed from Taiwan.

(b) The United Nations Security Council requested the international community to take action against international terrorism; however, Taiwan is not allowed to participate in the international counter-terrorist cooperation led by the United Nations. Without Taiwan's participation in appropriate international mechanisms to respond effectively to the Security Council's call for action on international terrorism, there exists a critical gap in the global network to safeguard against terrorism and money-laundering.

(c) The earthquake and tsunamis that struck South Asia and South-East Asia on 26 December 2004 caused more than 300,000 deaths and millions of people to be displaced. The Taiwanese Government, in the spirit of humanitarian sympathy, and in return for the assistance provided by the international community after the Taiwan's 921 Earthquake in 1999, immediately announced that it would donate US$ 50 million for disaster relief, which ranked as the seventeenth largest relief commitment around the world. Yet even though it is a major donor country, Taiwan was not allowed to attend various international relief and disaster conferences this year, such as the Special ASEAN Leaders' Meeting on the Aftermath of the Earthquake and Tsunami, held in Indonesia on 6 January, the United Nations Ministerial-level Meeting on Humanitarian Assistance to Tsunami-affected Communities held in Geneva by the Office for the Coordination of Humanitarian Affairs on 11 January and the Conference on the Health Aspects of the Tsunami Disaster in Asia held in Phuket, Thailand, by the World Health Organization (WHO)

from 4 to 6 May. This is unfair to the people of Taiwan who are eager to help others. Taiwan not only will actively participate in the post-tsunami reconstruction projects organized by the Asia Development Bank and the Asian Vegetable Research and Development Center in the capacity of member, but also hopes to participate in the mid and long-term United Nations and WHO sponsored programmes such as international cooperation related to disaster prevention and the establishment of tsunami warning mechanisms.

(d) Although Taiwan's health administration is responsible for handling the health-related issues of over 20 million international travellers arriving in and departing from Taiwan annually, Taiwan has not been able to join the global community in the discussion of issues of public health and health policy since it was excluded from WHO in 1972. The normal channel of contact with the technical departments of WHO has also been disrupted. This fact is not only unfair to the 23 million people of Taiwan, but also detrimental to the health of tens of millions of people around the world. The outbreak of the severe acute respiratory syndrome (SARS) in Taiwan in 2003 has made it clear that Taiwan should not be excluded from the global network for preventing the spread of infectious diseases, and must immediately be allowed to join the WHO Global Outbreak Alert and Response Network and all WHO-related activities. However, the World Health Assembly still refuses even to consider a proposal to invite Taiwan to participate in its work as an observer.

It is high time that the United Nations and its specialized agencies stop excluding Taiwan. Taiwan's inclusion will enable it to contribute to and benefit from the global efforts led by the United Nations, while the continued exclusion of Taiwan greatly diminishes these important efforts and violates the rights of Taiwan's 23 million people.

6. Taiwan's long-standing commitment to the Charter of the United Nations and international law and cooperation

Taiwan fully recognizes the right of all the peoples of the world to join the United Nations by adhering to the principle which was solemnly enshrined in the preamble of the Charter itself: "We, the peoples of the United Nations". Taiwan is also fully aware that Member States also have obligations and duties to fulfil as responsible international actors. Moreover, Article 56 of the Charter enjoins all nations to "pledge themselves to take joint and separate action" for the achievement of the purposes set forth in Article 55, including "(a) higher standards of living, full employment, and conditions of economic and social progress and development; (b) solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and (c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion".

As a peace-loving country and a vibrant democracy, Taiwan is willing to carry out these solemn obligations because it adheres unconditionally to the United Nations ideals of international peace and security, respect for human rights and sustainable development. In addition, with its internationally recognized achievements and progress in economic and social development, Taiwan stands ready to share its unique experience with other nations. Over the past 50 years, through hard work and sacrifices, Taiwan has today become the world's seventeenth

largest economy, the world's fifteenth largest trading country, and the holder of the third largest foreign exchange reserves. Based on a competitiveness survey conducted by the World Economic Forum 2004, among the 104 countries surveyed, Taiwan ranked fourth. This outstanding economic growth has already greatly contributed to both regional and global prosperity, and is a crucial asset for Taiwan to carry out all of the United Nations Charter obligations.

As an example of successful economic development, Taiwan's experience could have a positive impact on many developing nations. Taiwan has always been willing to share this unique experience with the rest of the world by engaging constructively in various foreign assistance and humanitarian and relief programmes. It is to be recalled that foreign aid played a crucial role in the early stages of Taiwan's own economic and social development. The people of Taiwan share the belief that it is now their responsibility to pay back some of this generosity and cooperation to the rest of the world.

In this context, Taiwan witnessed a steady expansion of overseas development assistance, which has risen to 0.14 per cent of GDP in 2004. As of March 2005, Taiwan had 36 long-term technical missions stationed in 30 partner countries, focusing on areas as diverse as capacity-building, agriculture, fisheries, horticulture, livestock, handicrafts, medicine, transportation, industry, mining, electricity generation, printing, vocational training, trade and investment. To take agriculture as an example, Taiwan's technical missions stationed in 14 countries, assisted local farmers to implement rice growing projects in 2004. The total size of rice production under the assistance of Taiwan's technical missions was 26,786 hectares, and rice production reached 145,980 tons that year. These and other similar efforts demonstrate that although Taiwan is excluded from many major multilateral assistance funds and projects and cannot fully participate in international cooperation, Taiwan still does its best to utilize all possible channels to contribute significantly to the development of people in many countries all over the world.

In the area of humanitarian assistance, Taiwan is also playing an increasingly active role. Taiwan allocates approximately 100,000 tons of rice annually as humanitarian foreign aid. In 2003, Taiwan-based non-governmental organizations donated 48,712 tons of rice to the Marshall Islands, Jordan, Tuvalu, Indonesia, South Africa, Lesotho, Peru, Haiti and Mongolia. At the end of the same year, an earthquake hit Bam, Islamic Republic of Iran, causing more than 20,000 casualties. Apart from sending special search and rescue teams to provide assistance, the Taiwanese Government also donated US$ 100,000 and coordinated the donation of relief materials by domestic charitable groups. After the South Asian tsunami occurred in December 2004, the Taiwanese Government provided US$ 50 million in initial relief assistance and also cooperated with international non-governmental organizations such as Helen Keller International and Mercy Corps in relief efforts. It also provided more than 355 tons of relief materials to tsunami-affected countries, among which 155 tons to Indonesia, 188 tons to Sri Lanka and 11 tons to India.

These activities continue to grow in scale and scope despite the extreme difficulty for Taiwan to participate in relevant multilateral mechanisms. Of course, Taiwan's endeavours would be much more effective if they could be coordinated with international efforts undertaken by the United Nations and its specialized agencies. In a time of increasingly serious resource gaps in many vitally important

programmes, refusing to work with a willing partner like Taiwan is unreasonable, if not truly irresponsible.

7. Taiwan's participation in the United Nations will help maintain peace, prosperity and stability in Asia and the Pacific

The United Nations plays a paramount role in maintaining world peace, security and prosperity. Stable and peaceful relations across the Taiwan Strait are critical to a lasting peace, security and prosperity in the Asia-Pacific region. As the global forum for dialogue, the United Nations could provide a platform of dialogue and mutual trust building by promoting opportunities for reconciliation and rapprochement between Taiwan and the People's Republic of China.

Eventually, by working together, Taiwan and the People's Republic of China have the potential to make significant contributions to peace, security and prosperity to the great benefit not only of the peoples on both sides of the Taiwan Strait, but of the whole region. The United Nations should embrace a leading role to encourage and facilitate this outcome.

The leaders of Taiwan have repeatedly called for the peaceful settlement of political disputes between the two sides. Taiwan has also taken steps to normalize trade relations with the People's Republic of China so as to pave the way for political reconciliation. These steps include the establishment of direct trade, communication and transportation links between Taiwan's offshore islands of Kinmen and Matsu and the ports of Xiamen and Fuzhou in the People's Republic of China.

In his statement on 9 May 2002 on the islet Tatan, President Chen Shui-bian reiterated his appeal to the leaders of the People's Republic of China to resume dialogue between the two sides of the Taiwan Strait without any preconditions. He stated that normalization of relations across the Taiwan Strait should start with economic, trade and cultural exchanges. In his re-election inaugural speech in May 2004, President Chen Shui-bian stressed once again: "It is my firm belief that both sides must demonstrate a dedicated commitment to national development and, through consultation, establish a dynamic 'peace and stability framework' for interactions; that we must work together to guarantee there will be no unilateral change to the status quo in the Taiwan Strait; and, additionally, we must further promote cultural, economic and trade exchanges, include the three links, for only in so doing can we ensure the welfare of our peoples while fulfilling the expectations of the international community." President Chen Shui-bian further stated in his videoconference with the international press in New York on 15 September of the same year, "Should it accept Taiwan, the United Nations would certainly provide a most effective international monitoring mechanism for the development of a framework of peace and stability between the two sides of the Strait. Indeed, it would be able to exercise decisive influence on peace in the Taiwan Strait and the security of the Asia-Pacific region."

Although China ignored the strong opposition from the international community by unilaterally adopting the so-called "anti-secession law" on 14 March 2005, President Chen still urged on 16 March of the same year, "We are glad to see the People's Republic of China's stable emergence, but the Chinese authorities should demonstrate to the international community their 'peaceful awakening'." He further stated that "both sides of the Taiwan Strait should use dialogue based on the

principles of democracy, freedom and peace to resolve disputes. Any non-democratic or non-peaceful means, regardless of excuses, shall not be accepted by the international community and will further worsen cross-Strait relations, as well as alienate the feelings of the two peoples."

We should point out that in January 2002, both Taiwan and the People's Republic of China became full members of the World Trade Organization, which has the potential to serve as a constructive platform for dialogue on trade and economic issues between the two sides. Likewise, the United Nations and its specialized agencies can provide a multilateral forum for contacts on a wider range of issues. This positive interaction will help build trust and confidence between Taiwan and the People's Republic of China and thus contribute to peace, prosperity and stability in Asia and the Pacific.

8. The representation of the Republic of China (Taiwan) in the United Nations will benefit all humankind

As previously stated, Taiwan is a democratic society full of vitality. It is also an active international partner. The representation of Taiwan's 23 million people in the United Nations will fulfil the principle of universality in membership, making the world body more representative, comprehensive and effective. It will also contribute to maintaining international peace and security and to enhancing international cooperation in political, economic, social and cultural development, as well as in human rights and humanitarian affairs. At the same time, it will help the United Nations Millennium Development Goals to be realized at the earliest date. More importantly, this is a realistic and rational arrangement in line with the status quo of the two sides of the Taiwan Strait.

The 23 million people of Taiwan need the United Nations and the United Nations needs the 23 million people of Taiwan!

Annex II

Draft resolution

The General Assembly,

Considering, with concern, the fact that the 23 million people of Taiwan are the only remaining people in the world who still lack representation in the United Nations, which violates the principles and spirit of the Charter of the United Nations, in particular the fundamental principle of universality, and of the Universal Declaration of Human Rights,

Recalling that General Assembly resolution 2758 (XXVI) addressed only the issue of the representation of the People's Republic of China in the United Nations and all related organizations, did not determine that Taiwan is a part of the People's Republic of China and did not confer on the People's Republic of China the right to represent the Republic of China (Taiwan) or the people of Taiwan in the United Nations and all related organizations,

Noting the fact that, since its establishment in 1949, the People's Republic of China has never exercised any control or jurisdiction over Taiwan, nor has the Government of the Republic of China (Taiwan) ever exercised any control or jurisdiction over the territory of the People's Republic of China,

Noting also that the Republic of China has transformed itself in Taiwan into a free, democratic State after terminating four decades of authoritarian rule,

Acknowledging that the democratically elected Government in Taiwan is the sole legitimate Government that can represent the Republic of China (Taiwan) and the people of Taiwan in the United Nations and the international community,

Observing that the people of Taiwan and their elected leaders are committed to the universal values of democracy, freedom and human rights, as well as to the enhancement of international cooperation on economic, social and cultural development and humanitarian assistance,

Mindful of the importance of the strategic position of Taiwan in the Asia and Pacific region and that the participation of Taiwan in the United Nations will contribute significantly to the maintenance of international peace and security in that region through preventive diplomacy,

Decides:

(a) To recognize the right of the 23 million people of Taiwan to representation in the United Nations system;

(b) To take appropriate measures to implement paragraph (a) of this resolution.